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UNITED STATES DISTRICT COURT  
 DISTRICT OF NEVADA

ELIZABETH WEAR and JOHN  
 BUTCHER, and CARMEN WORSTELL,  
 on behalf of themselves and all others  
 similarly situated,

Plaintiffs,

vs.

SPRINT COMMUNICATIONS  
 COMPANY, L.P., QWEST  
 COMMUNICATIONS COMPANY, LLC;  
 LEVEL 3 COMMUNICATIONS, LLC; and  
 WILTEL COMMUNICATIONS, LLC,

Defendants.

Case No: 2:11-cv-00809-KJD-GWF

**DEFENDANTS' UNOPPOSED MOTION FOR  
 ENLARGEMENT OF TIME TO RESPOND TO THE COMPLAINT  
 (SECOND REQUEST)**

Pursuant to Federal Rule of Civil Procedure 6(b)(1)(A), defendants Sprint Communications Company L.P., Qwest Communications Company, L.L.C., Level 3 Communications, L.L.C., and WilTel Communications, L.L.C. (collectively "Defendants") hereby move the Court for an extension of time to respond to plaintiffs' Amended Class Action Complaint (the "Complaint") to and including October 31, 2012. In support of this motion, Defendants state:

1. Plaintiffs consent to the extension of time requested in this motion.

2. On May 1, 2012, defendants sought their initial extension of time, reporting that a number of class action lawsuits involving subject matter similar to this lawsuit (together with this action, the "Related Class Actions") are pending in courts around the country and that counsel for the various parties in the Related Class Actions (the "Parties") have reached agreement on the substantive terms of a settlement of the claims in the Related Class Actions, subject to: (a) finalizing settlement documentation, (b) obtaining final corporate approvals, and (c) implementing the procedural steps necessary to present proposed class action settlements to the multiple courts involved.

3. On May 2, 2012, the Court granted defendants an extension of time, to August 2, 2012, to respond to the Complaint.

4. Counsel for the parties now have obtained preliminary and final approval for five settlements and preliminary approval for twenty-four additional settlements in the Related Class Actions. Final approval hearings are scheduled in November and December, 2012 and January, 2013, for the twenty-four settlement agreements that have been preliminarily approved.

5. Counsel for the parties have been working with the Claims Administrator on mailed notice of those twenty-four settlements, which was made on July 31, 2012, on the publication of notice for those twenty-four settlements, which will occur in August, 2012, and on the construction of settlement websites and call centers, which will make information about the settlement agreements available to class members.

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6. Counsel for the parties also continue to work diligently to document and finalize settlement agreements in the remaining states, including Nevada. They expect to file a motion for preliminary approval of a Nevada agreement prior to October 31, 2012.

7. Defendants request a 90 day extension of time within which to respond to the Complaint, *i.e.*, an extension to and including October 31, 2012.

8. One previous extension of this deadline has been granted. No scheduling order has been entered in this action. The requested extension will not affect any other deadlines applicable in this case.

Wherefore, Defendants respectfully request entry of an order extending Defendants' deadline to respond to the Complaint by 90 days, *i.e.*, to and including October 31, 2012.

Dated this 1<sup>st</sup> day of August, 2012.

MCDONALD CARANO WILSON LLP

By: /s/ Matthew C. Addison

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*And Wiltel Communications, LLC*

IT IS SO ORDERED.



GEORGE FOLEY, JR.  
United States Magistrate Judge  
Dated: August 2, 2012

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**CERTIFICATE OF SERVICE**

I hereby certify, under penalty of perjury, that I am an employee of McDonald Carano Wilson <sup>LLP</sup> and that pursuant to LR 5-3 I caused to be electronically filed on this date a true and correct copy of the **DEFENDANTS' SECOND UNOPPOSED MOTION FOR ENLARGEMENT OF TIME TO RESPOND TO THE COMPLAINT** with the Clerk of the Court using the CM/ECF system, which will automatically e-serve the same on the attorney of record set forth below.

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DATED this 1<sup>st</sup> day of August, 2012.

/s/ Nancy A. Hoy  
Nancy A. Hoy